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OBSERVATIONS

ON THE

SPEECH

OF

THE HON. JOHN RANDOLPH,

REPRESENTATIVE FOR THE STATE OF VIRGINIA,

IN THE

GENERAL CONGRESS

OF AMERICA:

ON A MOTION

FOR THE NON-IMPORTATION OF BRITISH MERCHANDIZE, PENDING THE PRESENT DISPUTE BETWEEN

GREAT-BRITAIN AND AMERICA.

BY THE AUTHOR OF WAR IN DISGUISE.

(LONDON, PRINTED.)

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FOR E. SARGEANT, WALL-STREET, OPPOSITE THE BANK OF THE UNITED STATES.

S. GOULD, PRINTER.

1806.

ADVERTISEMENT.

THE Author of the Observations offers as an apology for defects in its style and its inadequacy to its very important subject, the extreme haste in which it has been composed, through an apprehension that the great question discussed in it, is on the point of decision by his majesty's ministers. The speech of Mr. Randolph arrived from America on the 30th of last month, and this morning, the last page of the Observations has gone to press.

May 2, 1806.

OBSERVATIONS, &c.

SIX months had elapſed ſince the pamphlet called "War in Diſguiſe" was firſt given to the public, without any opponent having entered the liſts, to diſpute before Britiſh judges, either the juſtice or the policy, of its views.

The Editor of the Pariſian Argus indeed, who degrades the Engliſh language by proſtituting it to the ſervice of a tyrant, had favoured that work with an early and honorable cenſure; but at home, it had been noticed with uniform aſſent to the truth and importance of thoſe practical concluſions to which the Author had reaſoned; and in neutral countries it had been encountered only by ſuch vague clamours, as ſcarcely admitted of, much leſs deſerved, a reply.

I therefore had no inducement to invoke again the attention of the public on the great ſubject of our maritime rights.

Much, very much, of new argument was offered to me by the awful changes in the ſtate of the war, which the treaty of Preſburg had occaſioned; but I had reaſon to believe that enough had been ſaid to ſatisfy Engliſhmen at leaſt; and I hoped that if other nations had objections to offer, they would not be admitted by our government ſo

precipitately, as to preclude a volunteer in the cauſe of his country from ſuſtaining againſt them the arguments he had advanced.

On a ſudden, ſome of theſe circumſtances are unexpectedly reverſed.

Within a few days, a pamphlet has been put into my hands, which under a more comprehenſive title, diſcuſſes the ſubject of our preſent diſpute with America; and which without profeſſing to be an anſwer to the work called "War in Diſguiſe," controverts its moſt important concluſions.

Before I had found time to give this antagoniſt deliberate attention, another has taken up the gauntlet under the formidable armour of a reviewer; and at the ſame moment, a third, who has not yet iſſued from the preſs, menaces me with declared hoſtility in the form of legitimate war.*

But alas at this moment a rumour has reached my ears, far more alarming than the united attacks of the ableſt controverſial opponents.

It is ſaid that his majeſty's miniſters are on the point of giving way to the injurious claims and menaces of America, and renouncing forever the maritime rights in diſpute.

May the report prove to be erroneous. It is due to the high characters which compoſe the preſent cabinet, to believe that it will be found ſo; and in that caſe I will joyfully apologiſe to them for having one moment liſtened to the tale.

But if there be indeed a yet unexecuted purpoſe of this nature in the mind of any Britiſh miniſter—if all the recent

* The ſecond antagonist alluded to is a writer in the just published Edinburgh Review. The third is an American, whose work is announced for republication in this country.

triumphs of our flag, and the majeſtic aſcendency of our navy, have not precluded the thought of thus truckling to the invaders of our maritime rights, then indeed it is high time for every Engliſhman who foreſees the conſequences, to lift up a warning voice, while there is yet a chance of being heard, and of averting the impending miſchief.

Impreſſed with this anxious reflection, I feel that to arreſt deciſion, is now the firſt and moſt urgent object, in this great national cauſe. To reply to thoſe opponents whoſe arguments I have ſeen, would be no difficult taſk; but before I return their broadſides, I muſt run haſtily upon deck, and beſeech the commanding officers not yet to ſtrike the colours.

A few hours only have elapſed ſince I took up the pen for this purpoſe, but with great difficulty how to reconcile the magnitude of the conſiderations which preſſed upon me, with the urgent call for diſpatch, when the arrival of a mail from America, quite accidentally, but moſt ſeaſonably, placed in my poſſeſſion the following important ſpeech.*

I perceived in it at once a moſt deſirable ſubſtitute for thoſe arguments which I was on the point of compoſing.—My object was not to fortify former poſitions of right, much leſs to enter at large into the new relations of the American controverſy; but only to deprecate premature determination, and obtain time for further diſcuſſion.—What then could be more abundantly ſufficient for my purpoſe than this ſpeech of Mr. Randolph?

It cannot be ſuppoſed that his majeſty's miniſter can wiſh precipitately to relinquiſh our belligerent rights or pretentions at this moſt delicate criſis, unleſs from the fear that

* I write on the 1st of May, and hope, before I ſleep, to ſend this haſty compoſition to preſs.

an immediate rupture with America muſt be the conſequence of further delay; but ſurely no reflecting mind after attending to this ſpeech, publiſhed, as well as ſpoken by an American political leader of the firſt eminence, can retain that idle apprehenſion.

The occaſion of Mr. Randolph's argument, was a motion made by the moſt zealous of the French party, for a general non-importation bill; i.e. for the prohibition of importing any Britiſh manufactures, while the diſputes between the two countries are unſettled; and the event of this motion was a deciſion in the negative, by a majority of 70 to 47—It appears therefore that Mr. Randolph's very powerful and eloquent arguments, were aſſented to by a large majority.

Afterwards, on the 17th of March, a limited non-importation reſolution was brought in by the ſame party, and carried on a diviſion of 87 to 35, in the Houſe of Repreſentatives; but from the lateſt accounts there is reaſon to believe that it was rejected by the Upper Houſe or Senate.

The oppoſition, headed by Mr. Randolph, had defeated, in former inſtances the violent propoſals of the government party, or rather of the French faction, by which the government party itſelf was puſhed on to violent meaſures. Yet the government, and even the French faction, did not venture to propoſe immediate war.—When therefore we are inſtructed by this able and intereſting ſpeech, in the principles and views of the American oppoſition; and perceive that a war with this country would be moſt powerfully oppoſed, even in a caſe of ſtrong and acknowledged provocation, it ſeems abſolutely impoſſible to apprehend that the Congreſs would reſort to that extremity, or to ſuch

offenſive meaſures as muſt inevitably lead to war, rather than admit of a deliberate, or even a tedious diſcuſſion.

I wiſh the patience of the neutralizing agents in this country, who, under the ſpecious name of Britiſh American merchants, may be ſecretly importuning government for a deciſion favourable to their private views, could be as ſurely relied upon. It is not only in America, I fear, that "the ſpirit of avaricious traffic," to uſe the words of Mr. Randolph, is oppoſed to the national welfare.

If the people of the United States could in any caſe be brought to ſubmit to the burthens of a maritime war, for the ſake of what this gentleman juſtly repreſents as an ephemeral and precarious commerce, it muſt be at leaſt on an ultimate refuſal of redreſs for wrongs, which had been moſt fully inveſtigated, and inconteſtably eſtabliſhed.

The authority of Mr. Randolph is the more ſatisfactory on this point, becauſe he does not directly diſpute the juſtice of thoſe complaints which the clamours of the neutralizers had for a moment made popular in America.—It is indeed eaſy to perceive, that this candid and enlightened patriot, ſaw the injuſtice of the quarrel, in which ſelf-intereſted men endeavour to involve his country.—But he was too wiſe, needleſsly to oppoſe himſelf to thoſe prejudices, the force of which it was better to elude.—He avoids therefore the queſtion of right, and admitting for the ſake of argument at leaſt, that the pretended injuries are real, aſſerts in terms of the moſt abſolute aſſurance, that the people of America will not conſent to avenge them by war.

"I will agree (ſays he) to paſs for an ideot, if this is "not the public ſentiment, and you will find it to your "coſt, begin the war when you will." (See p. 12.)

It is not however ſolely, or chiefly in regard to the queſtion I have now in view, or the ſafety of further diſcuſſion, that the ſpeech of Mr. Randolph is important.

I invoke the declarations of this American leader, made in the hearing of Congreſs, to atteſt, that the ſtrictures on the colonial traders of that country contained in my former publication, were in no degree unfounded.—I appeal to his ſentiments on the true intereſts of his fellow citizens at large, that they are on the ſame ſide of this controverſy with our own.—I rely on his opinion, and ſtill more on his irrefragable arguments, in proof that a war between that country and this, would be but in a ſlight degree noxious to the commerce of Great Britian; while its conſequences would be ruinous to America, and ſuch as her citizens would not even for a brief period, be brought patiently to endure.

In a word, I quote this reſpectable authority, not only as a caution againſt precipitated determination, but to ſhew that timid and ruinous conceſſion, may be ſafely and finally avoided.

But what makes this very intelligent ſpeech more encouraging to the friends of peace and juſtice, as well as highly deſerving profound attention in both countries, is the correctneſs of its views as to the power and policy of France. I rejoice for the ſake of America and of Europe, that there are ſtatesmen in the new world, capable of ſo clearly diſcerning, and ſo eloquently expoſing, its dangers from French ambition, and its intereſt in the navy of England.

And here let it be obſerved, that when Mr. Randolph addreſſed ſuch conſiderations to the American Congreſs, the humiliation and ruin of Auſtria, and the other recent diſaſters of Europe, were but imperfectly known

beyond the Atlantic. The peace of Preſburg, and the conſequent mutilations of the Germanic empire, ſeem not to have reached the ears of this antigallican patriot; much leſs could he know or foreſee the perfidious conduct of Pruſſia, the enrollment of that power, hitherto neutral, under the banners of French ambition, and the excluſion of Britiſh merchandize from every country, hoſtile or neutral in which the beheſts of Bonaparte can by violence or terror be enforced.

If theſe new circumſtances of the war had been known to Mr. Randolph, how much would his juſt apprehenſions, from the preponderance of French power, have been aggravated; how much groſſer would the impolicy of contributing to the ruin of England have appeared to him; how greatly would that ſenſe of the juſtice of our cauſe which may be inferred from his language, have been fortified.

And here let me notice, with ſuch brief generality as the urgent neceſſity of diſpatch, under the ſenſe of which I now write, preſcribes to me, a new foundation of right which ariſes from the recent conduct of the enemy.

Let it be ſuppoſed that all the arguments which have been hitherto offered by my own, and far abler pens, in defence of the rule of the war 1756 are utterly inconcluſive; and that though unanſwered (except by the groſſeſt miſrepreſentations of notorious facts) they are capable of being clearly refuted; ſtill we have a new caſe, on which it ſeems impoſſible that two different opinions ſhould be held.

What! is Bonaparte to exclude Britiſh ſugar and coffee, from the continent, and is America to enable him to do ſo, by ſupplying it with French and Spaniſh ſugar and

coffee, in their ſtead? Are *neutral* markets even, to be ſhut by vio ence againſt our planters, that our enemies may eſtabliſh there a menopoly againſt them? Are the merchants of neutral ſtates, to be laid under an interdict as to the carriage of Britiſh manufactures or merchandize to friendly ports; and while ſubmitting as they do to that interdict, can they aſſert nevertheleſs againſt us, a right to carry the manufactures of our enemies, to the colonies of France and Spain? Are neutrals, in a word, to give effect to a ſyſtem avowedly adopted for the deſtruction of Engliſh commerce, yet found on their amity with England, a right to prevent or fruſtrate a retaliation on our part againſt the comme ce of our enemies?

Yet this is, in truth, but a part of the enormous caſe. By what means, has France acquired the power of enforcing her prohibitions? By the ſame foul means which have enabled her to overthrow Auſtria, to break up the foundation of the Germanic empire, and add all Italy to her uſurpations; by the moſt audacious violations of neutral rights, that ever diſgraced the page of hiſtory, or ſubverted the ſecurity of nations.

Here, we have no controverted principles to aſſume, in maintaining the opprobrious charge. It is not, that on the ocean, and in the interruption of a commercial intercourſe with a belligerent, neutral pretenſions are oppoſed; but, it is that into the heart of peaceful cities, and among the villages of a harmleſs peaſantry, armies are ſent to levy contributions, or purſue their deſolating march, by a power which does not allege againſt the hapleſs ſufferers either the rights of war, or the provocation of a wrong. Anſpach, Hanover, Switzerland, Hamburgh, Frankfort, even Rome itſelf, where a reconciled apoſtate might have been reſtrained by decent reſpect to the ſuperſtition he

has profeſſed to reſume, theſe, and many other places, need but be named, to call up abhorrence of the uſurper's maxims, and to ſhow his utter contempt for the moſt acknowledged and ſacred of neutral rights, whenever he has power to invade them. Even bed-chambers are not ſafe for princes, in the boſom of a neutral court.

"But are other nations reſponſible for theſe out-"rages?" not directly ſo, I admit. Whether it be not a duty of neutral powers to unite in controling them, and protecting thoſe ſacred principles by which the community of nations is bound together, from further violation, is a queſtion not hard to decide. But all I contend for here, is the very moderate poſition, that neutral nations ought not actively to aſſiſt in giving effect to a ſyſtem, which is planted, ſuſtained and expanded by theſe invaſions of neutral rights.

If they will tamely permit Bonaparte to exclude ſhips when laden with our merchandize from Hamburgh, and ſuch other maritime places, yet permitted to be called neutral, as the terror of his arms has already ſhut againſt us; and to extend, as he now threatens, the ſame ſyſtem to Portugal and Denmark; it is not neutral, it is not equal, to deny a like latitude to us; and they would have no right to complain, if we ſhould apply the ſame interdiction as generally, to the merchandize of our enemies, wherever our power extends; that is, to every maritime part of the globe.

Colonial produce and ſupplies alone, are the ſubject now in diſpute with America; but here is a principle, on which we might fairly interdict the carriage of French, Spaniſh, and Dutch goods in general, whether colonial or European; and not in particular voyages alone, but in any part of the ocean. If not, then the rights and duties of neutrality are

all on one ſide, and Bonaparte has already obtained ſome of the legal effects of that ſovereignty, to which he now openly aſpires over the kings and kingdoms of the earth. He has imperial prerogatives in the courts of nations, in which a Britiſh monarch has no right to participate.*

Hitherto it is a principle of natural reaſon, to which no writer on the law of nations has objected, and which moſt of them have expreſsly affirmed, that impartiality is one of the duties of neutral states; and a branch of this duty is, that what they permit to one belligerent, they muſt be ready to permit to the other. Even the king of Pruſſia, acknowledged this obligation, when he gave paſſage to the Ruſſian army, on hearing the violation of Anſpach; nor has the French deſpot himſelf, had the aſſurance openly to find fault with the act.

" But America, it may be ſaid perhaps, has not yet been " prevented by France, from carrying any goods whatever " to the ports of this country, or our colonies."

France, I admit, has not extended her commercial interdict, where ſhe had not power to extend it.—She has no naval arms, and therefore can bolt the door againſt commerce on the inſide only, not lock it from without: nor can

* This ſeems to be acknowledged by ſome of thoſe writers who have kindly attempted of late to flatten the ſpirits of the public, and prepare us for ſubmiſſion to France. They are prudently ſparing, in general, of their Peace proſpects; but one of them fairly lets out, that one neceſſary mean of conciliating Bonaparte is, the reſtraining the liberty of our preſs; and adds, " *if we deſire to remain at peace with Bonaparte, let us beware how we venture to treat him with the ſame freedom as George the Third. He* will avenge with the *ſword* the inſults offered by the *pen.*" (Thoughts on the relative State of Great Britain and France, p. 62.) Happily we are not yet at peace with Bonaparte; and on theſe terms I truſt we never ſhall.

ſhe prevent importation into countries, into which her battalions cannot advance.

But if ſhe has not prevented importation by neutral veſſel, into England, ſhe has done more, much more for the purpoſe of my argument, by excluding them from neutral ports.

America is prevented from importing Britiſh goods into Hamburgh for inſtance, not becauſe it is the will of the ſenate of Hamburgh, but becauſe it is the mandate of France; and America will ſubmit to this prohibition, as ſhe has done to other injuries of the ſame ſpecies, from the ſame unprincipled power.—On what conſiſtent pretence then could ſhe complain, if we ſhould forbid her carrying French goods, whether colonial or European, to Copenhagen or Liſbon? How otherwiſe are we to obtain equality, in reſpect of neutral commerce.

We may blockade, it is true, the ports from which our goods are excluded; but this is often an ineffectual reſort, as well as always an expenſive one, and a diverſion of our naval force from more active ſervice. neither can it be expected, that we can ſpread our blockades over every harbour or acceſſable coaſt, to which Bonaparte can extend his excluſive ſyſtem by land.

Beſides it would be abſurd to maintain, that, we may lawfully blockade neutral ports as a rightful defence againſt this unprecedented ſyſtem of war, and yet have no right to retaliate on the trade of the enemies ports, leſt neutral intereſts ſhould ſuffer.

The blockades too, however completely enforced, would be obviouſly ineffectual, to prevent the meditated injury to our colonies and our commerce. Our ſugars are ſhut out from Hamburgh, and we exclude French and Spaniſh ſu-

gars in return by our blockade. What then? If we allow the latter to be carried to Embden, to Antwerp, or any other unblockaded port, the ſame continental markets are effectually ſupplied, by means of interior navigation, with the French or Spaniſh article, which, Hamburgh before ſupplied with, the Britiſh.

If, by a juſt and neceſſary retaliation, we ſhould prevent the ſupply generally in neutral bottoms, the growing dearth of the article, would ſoon fruſtrate the hoſtile prohibition, or oblige the enemy to recall it: but while French and Spaniſh produce, can be plentifully obtained from neighbouring ports, this natural remedy cannot operate; and our blockade rather tends in a commercial view to increaſe, than diminiſh the evil.

This partiality therefore in the acquieſcence and the reſiſtance of neutral ſtates, amounts not merely to paſſive injuſtice, but to an active and pernicious co-operation with the enemy in his efforts to deſtroy our commerce; yet though he tramples for that end on the moſt indiſputable rights of neutrals, their extreme, abſtract, and moſt doubtful rights, are ſtrangely ſet up againſt us, to effectuate his injurious purpoſe.

The main though prepoſterous defence of the fruſtration of our hoſtilities againſt the enemy's colonial trade, is his right to open his own ports; but has he a right to ſhut up neutral ports, as well as to open his own? Here at leaſt the land right, will not bear out the ſea wrong. Beſides, America has now ſhrunk from this favourite principle of hers, when ſhe had to deal with a power that would not be bullied—She has not only ſuffered France to take her ſhips when trading to St. Domingo, but at the imperious mandate of that power has paſſed a law to forbid the trade to

her ſubjects. Is it becauſe Deſſalines has not as good a title to Hayti, as Bonaparte to Naples? I ſhould deny the propoſition—even as to Paris: but at leaſt Deſſalines has as good a right to make laws in Hayti, as Bonaparte at Hamburgh.

If the nation which is called on to ſubmit to ſuch injurious inequality of treatment, were feeble or inferior at ſea, the too common diſpoſition in the ſtrong to oppreſs the weak, might account for the unjuſt demand. But what in the preſent caſe may well excite aſtoniſhment, as well as indignation, is, that this injuſtice is offered to a nation, whoſe power to reſiſt it, is as indiſputable, as her right to do ſo—whoſe invincible and magnificent navy rides triumphant on every ſea; who, to uſe the words of Mr, Randolph, "has "annihilated the marine of her enemies," and might boldly defy the combined hoſtility of all the maritime nations on the globe, to ſnatch the trident from her hand.

That France, an exile from the ocean, ſhould under ſuch circumſtances, have the aſſurance to wage with us a war of commercial excluſions, is ſingular enough. But if neutrals will perſervere in their preſent conduct, and if England timidly ſubmit to it, the plan is perfectly rational, and cannot fail of final ſucceſs.

Behold then a new prodigy of this extraordinary age—The utmoſt maritime ſtrength is impotent to protect commercial navigation; and a power that is driven from the ocean can deſtroy the trade of his enemy!

But the paradox is of eaſy ſolution.—The plain key to it, is, the new and compendious principle *that the rights of neutrality, are nothing on ſhore, but every thing at ſea.*

If this doctrine is to prevail, let us beſeech the people of the United States, to relieve us from the burden of

thoſe 800 men-of-war, which Mr. Randolph, with but a ſmall exaggeration, ſuppoſes us at preſent to poſſeſs—to take alſo off our hands, this iſland, which we cannot long hope to defend, and give us a diſtrict beyond the Blue Mountains, in exchange.

At preſent we have no ſuch diſtant retreat, as Mr. R. ſpeaks of, from the arms of an invader; no alternative to that naval war, which he wiſely declines.

Surely ſuch new and forcible conſiderations as the preſent conjuncture affords, cannot fail to have an influence on the minds of the American people. It is true, they might have been ſuggeſted in ſome degree, by the conduct of France, at an earlier period of the war; but the excluſion of our commerce from the continent, though partially and faintly attempted before, is now for the firſt time diſtinctly avowed by Bonaparte, as the Grand offenſive project which is to enforce our ſubmiſſion; and in the execution of which, neutral nations, as he ſcruples not to threaten, will be conſtrained to concur. Neither till the defection of Pruſſia from the ſtandard of neutrality, was the ſcheme ſo boldly acted upon as at the preſent, or ſo capable of extenſive effect.

Mr. Randolph, in one paſſage of his ſpeech, ſeems to conſider the excuſe of *neceſſity*, as the chief argument relied upon in the pamphlet, which he does me the honour to quote; but on a reference to the work, it will be found that this was but one, among many foundations of right, on which the rule of the war 1756 was placed, and to the chief part of which no anſwer has hitherto been given; and it will further be found that the author did not profeſs to argue the queſtion at large, even in reſpect of the colonial trade, much leſs to define and defend the whole extent of our maritime rights in the preſent unparalleled conteſt.

There are other views, ſtill more comprehenſive and important, upon which it would be much eaſier to juſtify the ſevereſt war that could poſſibly be waged againſt the commerce of our enemy, and the maratime intercourse of his uſurped dominions, than to excuſe the conceſſions that have been hitherto made in favour of neutral trade. But neither theſe, nor the conſiderations here briefly ſuggeſted, have yet been ſubmitted to the candour of the American people.

A magnanimous, but not very prudent contempt of the popular voice in foreign countries, or at leaſt of the means of obtaining its ſuffrage, has been long diſplayed by the cabinet of England. We fight, we pay, we negociate, but except in a formal manifeſto, we do not *reaſon*, to the European or American public. We abandon to our enemies, the influence of every foreign preſs, even where the fear of French arms does not preclude a competition.

It is perhaps a natural, though accidental conſequence, of our peculiar form of goverment.....The rights and the intereſts of the nation, the grounds of its wars, and its treaties, are copiouſly diſcuſſed in parliament; and we forget that foreign politicians do not always read our debates.

The grand ſubject of our maritime rights, at leaſt, has every where, out of England, been left to private and ſelf-intereſted pens; and theſe have almoſt univerſally been in the ſervice of neutralizing traders. Our enemies therefore have walked over the courſe in America, as well as in other neutral countries; and the people hearing of nothing but Britiſh violence and injuſtice, have condemned us without a trial.

I am led to theſe remarks by a paſſage in Mr. Randolph's ſpeech, in which he adopts an opinion currently received in America, that "War in Diſguiſe," was written under

the eye of Mr. Pitt. The ſame has alſo been affirmed confidently in all the newspapers of that country as a known fact, and has been hitherto uncontradicted. Let the author therefore do juſtice to the independence and freedom of his pen, at the expence of the credit which it might derive from the choice of our late celebrated miniſter. "War in Diſguiſe," was not written under the eye, nor at the inſtigation of Mr. Pitt, or any other member of adminiſtration; nor was it honoured by his peruſal till after it was given to the public. Whatever be the weakneſs, or the ſtrength, of the arguments it contains, they were ſpontaneous and ſincere, the reſult of uninfluenced, and, as their author believes, of impartial opinion.

But to return from this digreſſion—If new conſiderations of juſtice, now ariſe to ſatisfy the people of the United States, that their demands are groundleſs in point of right; new and more powerful motives of policy, have alſo been furniſhed by the late changes in Europe, to reinforce the arguments of Mr. Randolph.

What hopes, let me aſk, can they now retain, of the moderation of France, and how truly alarming to them ought to be the proſpect of a maritime peace in Europe.

While a hope remained of a continental balance of power in the old world being reſtored, it was natural for the people of the United States to ſuppoſe themſelves neutral in point of intereſt, in the event of the war, as well as in their actual relations. But which of their politicians will now be hardy enough to diſpute the opinion of Mr. Randolph, that the navy of England is the ſole bulwark of American commerce, and that our ruin would inſure their own.

This enlightened patriot (for though as an American,

addreſſing a republican audience, he ſays ſome things which an Engliſhman cannot approve, he fairly deſerves that name) will I doubt not now further extend his views, and diſcover more clearly the Trans-Atlantic projects of French ambition which the war alone ſuſpends.

Colonies are one of the favourite and avowed objects of Napoleon's vows, and where are rich colonies to be obtained, ſo eaſily and ſo ſpeedily, as in Spaniſh America? What! will the conſcience of Bonaparte ſhrink from the guilt of deſpoiling another branch of his murdered maſter's family? or is it the patient character of his policy to wait for the ſlow reſtitution of agriculture in St. Domingo, when finally regained by exterminatory war, rather than poſſeſs himſelf at once of all the exiſting wealth and all the commerce of Cuba?

His meaſures during the laſt peace furniſh no argument to the contrary. They were ſuggeſted by groſs ignorance of the true ſtate of St. Domingo, and he therefore began where he would otherwiſe have ended. Beſides, he was then kept a little in check by the yet unbroken power of his late enemies, and by the difficulties of his domeſtic ſituation; but the next opportunity of ſending armies without obſtruction to the new world, will be better improved. Hayti may ſerve for a feint, or even perhaps for a genuine, though ſecondary object; but Cuba will be occupied and ceded, and ſome of the feeble continental colonies of Spain will be next reduced. Louiſiana will be reſumed, and the ſouthern ſtates of the American union, will ſoon experience the effects of their interior ſyſtem, when oppoſed to the hoſtility of an inſidious and unprincipled neighbor.

But in theſe proſpects, new perhaps to Engliſh eyes, and yet demonſtrably of real probability, I am loſing ſight of my

intended limits, and forgetting that I must not delay to give Mr. Randolph's important ſpeech to the public at this very critical juncture.

Without therefore extending further theſe views of colonial uſurpation, I would ask the citizens of America ſeriouſly to reflect, that the maritime power of England could alone avert from them ſuch evils, if France were diſpoſed to realiſe them.

Would armies be ſacrificed in the work?—What then!—Did the waſte of human life beget remorſe at St Domingo? The tyrant has beſides a horrible interest, in the deathful character of his Trans-Atlantic enterprifes.

Be it remembered that in the European countries which he has ſubjugated, and in thoſe which he ſtill means to ſubdue, there are myriads of ardent ſpirits whom their conqueror would be happy to diſpoſe of in diſtant military ſervice, juſt as he baſely ſent the patriot Poliſh legions, to do his murderous work, and periſh in St. Domingo.

How copiouſly might the untractable ſpirit of this free country, if it were conquered, add to the miſerable numbers of ſuch high-minded victims. Brethren of America, the idea, though ſtrange and dreadful, is not beyond the range of poſſible events, that the volunteers of England may be ſent to reduce the Spaniſh colonies, and to ſhed your kindred blood.

But America might fall even before her parent. A brief period of peace would ſuffice to reſtore the marine of France, enormouſly as ſhe has now extended her means of multiplying ſhips; for ſhe has found that ſoldiers may ſoon be taught nautical ſkill enough to man her fleets, at leaſt as well as they have been lately manned with French and Spaniſh ſailors. In our own ſervice a landſman is ſoon converted in-

to an ordinary ſeaman, and there is no motive ſo ſtrong with Bonaparte for deſiring that peace for which he is now buſily angling, as the preſent impoſſibility of ſending his ſoldiers to ſea for education, without riſquing their captivity, and the loſs of the ſhips that carry them.*

But for ſuch an enterpriſe as the conqueſt of the Spaniſh colonies, a large naval force would not be wanting; armies might be landed there without reſiſtance, large enough to maintain, as well as to accompliſh, the eaſy work. The mother country far from protecting, durſt not encourage them to reſiſt, and I am perſuaded that at this moment nothing averts a French yoke from the colonies both of Spain and Portugal, but the impervious barrier of our navy: nay that nothing ſuſpends the fate of thoſe mother countries themſelves, but the fear that their colonies would be loſt, from the want of a fleet to ſecure them.

Does America then hope that we ſhall ſuſtain the war forever, under all the diſcouragements which her injurious conduct, add to its other evils—that we ſhall protect her in ſpite of herſelf, and let her bear away all the beſt fruits of our naval empire, while we are at all the charge of its defence.

Such conduct indeed, were there no other alternative except that of peace with France, at the preſent moſt diſadvantageous moment, might be wiſe and neceſſary, for nothing could be more infallibly ſelf-deſtructive, than our now throwing open the ſea to Bonaparte.

But every Engliſhman does not concur with the great majority of the nation in this opinion.

* In the ships taken by Sir Robert Calder, on their return from the West-Indies, a large proportion, if I am rightly informed one-third, of their compliment of hands, were soldiers, who worked with the seamen, and had been put on board for that purpose.

There are writers among us, who even seem to regard the enormous aggrandizement of France by land, as a good argument for opening to her boundless ambition, and implacable hostility, the important passes of the ocean; who even magnify our danger from her recent territorial acquisitions, as reasons for allowing her to reap the full, immediate benefit of their commerce, and to combine with her former immense resources, the new means which they copiously afford for the restitution of her navy; who, because we cannot give back to the right owners, the territories she has ravished from other nations, would advise us to endanger our own; and who think that as kings have been the victims of our quarrel, our most honorable course is to ratify without delay, their constrained renunciations, and shake hands with the usurper over the ruins of their thrones. Such opinions too boast, though falsely I admit, of popularity, nay even of ministerial patronage.

Let not then America, seeing perhaps our obvious interest better than these British politicians, suppose herself perfectly secure from that fatal event, a speedy peace between England and France; but let her beware, lest by further discouraging our navy, ruining our colonies, and baffling all our remaining hopes in the war, she should at length dispose us to that desperate expedient, to her ruin as well as our own.

But I am forgetting that to the people of England, and to the British cabinet if necessary, not to the people of America, these pages are more immediately addressed. I am also again forgetting, that the purpose of this publication is urgent, and that my present object is only to deprecate a hasty and fatal decision.

If the judgment of those whose determination would make controversy useless, does not shut out further argument, I shall find time enough perhaps to open in a better manner, the new bearings and relations of this momentous subject; and to maintain, if necessary, the ground I have already taken in defence of our national rights.

I may then, perhaps, reply to my English, as well as my yet unseen American, antagonists. I may possibly make a convert of one of the former, who now imitates the practices which he defends, by engaging in controversial war under the neutral flag of a critic, for his opinions are founded on such erroneous premises, as may be easily corrected*; and I may possibly even be able to reply with gravity to the chief argument of my other opponent, which courageously maintains that *it is our interest, to nourish the colonies, and protect the commerce of an enemy.*†

Meantime, I must leave these assailants to spend their

* The author is grateful to the Edinburgh Reviewers, for the unmerited compliments paid to his plain style and humble talents; compliments which it would cost him no breach of sincerity to repay in kind, as all who read that lively and very able Review will easily believe. But for the sake of this great public cause, he must remark, that the ingenious and elaborate argument with which his pamphlet is encountered in that popular work, proceeds chiefly on two fundamental errors in point of fact; viz. on the notion that the colonial monopoly in time of peace, extends to the exclusive *carriage in national shipping* only, not as it also does, to a *destination exclusively to and from the ports of the mother country*; and secondly, on the assumption that *the Americans always supplied the northern nations of Europe with the products of the French and Spanish colonies.* (See the Edinburgh Review, No. 15, p. 30, &c.

It was remarked in the pamphlet referred to, that few subjects are less generally understood by intelligent men, than that which the author undertook to explain; and of the truth of the proposition, stronger evidence cannot possibly be offered than these mistakes by an Edinburgh Reviewer.

† Enquiry into the State of the Nation, 4th edition, 197 to 199.

cross fires on each other; for the one declining the question of right, denies that it is our *interest* to suppress the trade in question; the other admits the *interest*, but disputes the *right*.

Let me for the present conclude, with a few brief suggestions to a British minister, on the supposition, that a Statesman of this country can be really disposed to give way to the present claims of America. And I will further suppose that statesman to be Mr. Fox; not merely for the sake of enlivening the idea; but for that of professing that no difference of opinion on such a subject could diminish the unfeigned respect which I feel for his manly, generous, and amiable character; since its very virtues would sufficiently explain to me the source of our disagreement.

"Pause," I would anxiously cry to him, "on a "measure which if once adopted, can never be re-"called.

"Reflect, that a stronger case for the operation of the "rights in question, than that which now exists, can-"not possibly arise. The present emergency, the new "state of the war, the new system of annoyance "adopted by the enemy, at least in its widened com-"pass, and increased practicability, nay the very evils "experienced by former concessions, might now, in-"dependently of their voluntary nature, clearly justi-"fy their entire revocation, much more the rejection of "claims founded on a fraudulent abuse of our indul-"gence.

"But if you now give way, and give way to an im-"perious demand, founded on an asserted right,—if "you lower your top-sails at the bidding of a state

" which has not a ship of the line, while above seven
" hundred British pendants triumphantly maintain the
" empire of the ocean,—henceforth you can set up no
" fair distinction, you can alledge no duress of tempo-
" rary necessity, to avoid the fatal precedent,—a prin-
" ciple on which your belligerent energies greatly de-
" pend, is lost and abandoned for ever.

" Reflect also, that by this retractation of a principle
" which our government, as well as its supreme tribu-
" nals of Prize, has strongly, practically, and as I main-
" tain, consistently, asserted ; you will sink our credit
" in Europe, and give countenance to the foul charges
" of Bonaparte. We shall reasonably be regarded not
" only as the tyrants of the sea, but what, if not more
" odious, is at least more contemptible, as pusillani-
" mous tyrants, who are insolent and audacious when
" unopposed, but shrink back from spirited resistance.

" Nor is it in Europe alone, that we shall incur this
" infamy. America herself will despise us—Our friends
" in that country will be abashed, and our enemies will
" triumph. Your tardy compliance will not be ascrib-
" ed to a sense of justice, or a spirit of conciliation ;
" but to commercial panic, and the dread of a non-
" importation law. The advocates for violent measures
" will exult in the success of that insolent policy, which
" has sent you menaces, instead of arguments, and
" non-importation resolutions, instead of embassadors.
" In a word, our concessions will purchase for us among
" our Trans-Atlantic brethren, not good will, but deri-
" sion and contempt.

" Look next to the consequences to our navy, our
" colonies, and our commerce.

" Do you mean to make peace with France, and are " you sure of such terms as you are prepared to accept? " Remember still, that you have no assurance, nay " scarcely a rational hope, that any peace you may " now make, will last a single year; and that the con- " cession now demanded will not lose its validity as a " precedent, when you shall be compelled again to " draw your naval sword, and to fight, as Mr. Ran- " dolph forcibly puts it, ' *not for Quebec or Pondicher-* " *ry, but for London and Westminster—for life.*'

" But if Bonaparte will not give us peace, or if we " are wise enough not to accept it from him at this " juncture, then advert to the consequences of these " concessions, even during the present contest.

" I will not detain you with a description of them; " I have stated them elsewhere; and need only add, " that if you consent to depart from the principles now " acted upon in our prize courts, our planters, and " West-India merchants, will soon again be driven by " an oppressive competition, from all the foreign mar- " kets of Europe. The ruin of our East-India com- " pany too, will be advanced with an accelerated pro- " gress.

" After all, to what would I persuade you? to quar- " rel with America? By no means. But to treat with " her more deliberately; to treat with her on her own " soil, at the seat of her government, and in the bosom " of her citizens; to treat with her, after the popular " effervescence excited by self-interested men has had " time to subside, and the voice of reason and justice " has been deliberately heard; to treat with her, after " she has been fully instructed in the recent measures of

" Prussia and France, and in the system now concerted
" for our ruin.

" The contrary course of a precipitate submission
" to the demands of Mr. Jefferson and his minister,
" would no doubt be more palatable to them, and to
" the party to which they belong. But though I feel
" high personal consideration and respect for those gen-
" tlemen, they are not precisely the persons with whom
" a British minister would wish to adjust this most im-
" portant controversy. I may be mistaken in their
" public views, for I profess no great acquaintance with
" the interior politics of America; but it is certain
" that they are regarded in that country, as partial to
" the cause of France, and consequently not partial to
" England.

" The Congress of the United States, alone can de-
" clare war, or alter the pacific relations of that coun-
" try. There can consequently be no danger of being
" involved in a war by delay, before a British minister
" can be sent across the Atlantic. The American em-
" bassador can have no manifesto in his pocket. The
" advantage therefore of treating under the eye and ear
" of a Congress, and of a people, among whom a very
" considerable minority, at least, are disposed to mo-
" deration and peace, is undeniably great.

" The only objection I can imagine possibly to arise
" against this expedient, is, from the passing of the li-
" mited non-importation bill, the fate of which is yet
" unknown, and which is represented as containing a
" clause making its operation depend either on the fiat
" of the executive government, or on that of its min-
" ister in this country; or as other accounts intimate,

" on the bare event of our refusing immediate compli-
" ance with the demands of the American government.

" Now such a bill either has, or has not, been passed
" by the Congress.

" In the latter case, the difficulty will not arise, but
" in the former, I hesitate not to say, that it makes
" your compliance, consistently with any regard to the
" dignity and honour of this great nation, absolutely
" impossible.

" What! is a rod to be put into the hands of a fo-
" reign Minister, to whip us into submission; and are
" we broadly and coarsely to sell our maritime rights,
" for the sake of passing off a little haberdashery along
" with them!!!

" Are we to make a lumping pennyworth to the buy-
" ers of our leather wares, our felt and tin wares, and
" the other commodities enumerated in this insolent bill,
" by tossing our honour, our justice, and our courage
" also into the parcel!!! I would not consent to dispa-
" rage even the quality of our manufactures, much
" less of our public morals, by so shameful a bargain.

" No sir! if Mr. Munroe is indeed instructed and
" empowered to treat with us in this humiliating style
" of huckstering diplomacy, a new reason arises for
" delay, and for treating beyond the Atlantic.

" Let the threatened prohibition take place. Our
" hats, our shoes and our teakettles must find some oth-
" er market for a few months; unless the American
" merchants should be impatient enough, to import
" them by smuggling into that country in the mean
" time; which I doubt not they will, in a more than

" usual abundance. Perhaps when our minister arrives, " the advanced price of English goods, and the loss of " the duties upon them, may form an argument of some " weight in our favour."

But I must have done; lest by reasoning too anxiously, I should reason too late.—" Pause then, sir," (still to address an imagined, and, I hope, non-existent character) " pause I conjure you, on this awful occasion. " Contend at least a little longer, for our colonies, for " our navy, for our belligerent power, for our consist- " ency, for our dignity and our honour."

POSTSCRIPT.

May 3d, 1806.

THE newspapers of this morning and those of yesterday, which I had not time to read till the above Introduction went to press, suggest a new reason for our not precipitately abandoning the important principle of the rule of the war, 1756, which as the delay of the press has afforded time for it, I will take the opportunity of adding.

That grand sacrifice, if we are really bold enough to hazard the consequences of making it on any terms,

should at least be the subject of treaty and reciprocal compact, both with America and Denmark :—and one concession which both those powers would most willingly make, is the allowing us to intercept and condemn vessels under their colours, employed in supplying the French and Spanish colonies with slaves ; a trade which they have prohibited by their own municipal laws, but which without our aid, they cannot effectually prevent the contraband prosecution of, even by their own subjects ; much less by foreigners who assume their flags for the purpose.

The ruinous effects of this commerce to our colonies, not only through the rapid extension of agriculture which it promotes in the islands of their powerful rivals, but in the consequent advance of the price of slaves, both in Africa and the West-Indies, have at length been distinguished through those dark clouds of error and prejudice, with which the storm of slave-trade controversy has long covered our West-India interests. The last administration put a stop to the fatal competition in the conquered colonies : and the present cabinet having adopted the same salutary principle, a Bill I find has yesterday passed the House of Commons, for prohibiting the foreign slave trade generally to his Majesty's subjects—The bill has also, as an obvious and necessary application of the same principle, precluded the fitting out of foreign slave ships from our ports ; which to be sure, another principle, long since universally admitted, that of the slave carrying acts, ought in more consistency, to have led us to prohibit long ago.

This wise and necessary measure, officially introduced by his Majesty's Attorney General, will no doubt

speedily pass into a law, for it cannot be doubted that the present able and powerful administration have influence enough in parliament to give effect to a measure of national policy which they have adopted ; or that a Bill recommended by such weighty and obvious considerations of national interests will receive from the wisdom of the Lords, the same general approbation that it met with from the Commons. In the Lower House, its advocates were, not Mr. Wilberforce, or Mr. Henry Thornton, though they no doubt silently approved ; but Sir William Young, and every other West-India gentleman who delivered his sentiments, with the single exception, I think, of Mr. Rose.

Assuming then, that this Bill will soon become an Act of Parliament, it now becomes consistent and decorous in us, as well as prudent and necessary, to treat with the neutral powers, for obtaining at least the allowance of so much of our maritime rights as may give effect to their own prohibitory laws in regard to this traffic ; and thus effectually to prevent the supply of the hostile colonies with slaves during the war.

If our unfortunate planters must encounter a ruinous competition in the foreign markets of Europe through an unbounded indulgence to neutrals, at least let us obtain in their favour, what neutral states are willing to relinquish, and relieve them from a competition in the slave markets of Africa and the West-Indies, by which the price of negroes is enormously advanced, and the supply of foreign sugar rapidly increased.

I am aware that Mr. Rose's opposition to the Bill now depending may seem a dissent from these views ; but that gentleman made a generous sacrifice of his own

self-interested feelings as a British planter for the sake of a large national interest, which he very erroneously supposed to depend on the slave trade to the colonies of Spain; as may be seen in an account of his speech on Thursday last, and of a conversation which took place last night between him, Mr. Francis, and Mr. Wilberforce, respecting a slave-trade alleged by Mr. Rose to be now carried on through our free ports in the West-Indies, to those colonies.

Sir William Young shewed by authentic documents, that if any such trade exists it must be of a narrow extent; but the truth is, that it cannot *legally* exist at all, either by the law of Spain, or by the law of war, as obligatory on all his Majesty's subjects.

Mr. Rose overlooking this fact, supposed, in reply to Sir William Young, that though the export of slaves from our free ports to Spanish colonies might be very small, yet it was a necessary cover to obtain admission for the ships employed in the free port trade by the laws of those colonies into the Spanish ports; and that under pretence of bringing a few slaves they smuggle in our manufactures to a large amount; he feared therefore a great shock to our existing commerce by a suppression of the foreign slave trade: but if this gentleman's language is accurately reported, he proceeded on notions of the free port trade which are radically erroneous both in point of fact and of law.

It is true, that during the last war, for a period of about four months, and in consequence of an oversight in drawing up a royal instruction, slaves were enumerated among the articles which that instruction authorized his majesty's subjects, or Spanairds, to export by

special licence from our free ports, notwithstanding the existing hostilities. But the moment this error was noticed, Mr. Pitt explained it in the House of Commons, to have proceeded from inadvertency alone, occasioned by the copying the catalogue of exportable articles from the free port acts, as in force during peace; and he indignantly disclaimed the idea of its having been intended to relax the law of war for the purpose of extending the slave trade. The instruction, which bore date November 27, 1797, was instantly revoked, and a new one, dated March 28, 1798, issued, which omitted slaves in its enumeration.

From that time to the present, the exportation of slaves during war, from our free ports to the colonies of our enemies, has been wholly illegal; and would have subjected the ship and cargo engaged in it to confiscation in the prize court.

Prior to the present hostilities with Spain, a prospective instruction was issued, empowering the Governors of the free ports, in the event of a war with that power, to grant licences in the same form as in the former war. But surely no man will construe this as referring to a rule that existed by mistake for four months, instead of that corrected rule which was in force during all the rest of the period referred to.

Had any such strange construction been put upon it in the West-Indies, and that fact had come to the official knowledge of the Right Honourable Gentleman, who is now, very erroneously perhaps, stated to have affirmed in Parliament the existence of a free port slave trade with our enemies, he would no doubt immediately, as a point of private as well as public duty, have reported

it to the late minister; for Mr. Rose was vice-president of the committee of the Privy Council, usually called the Board of Trade, from the beginning, I think, of the present war with Spain, to the end of Mr. Pitt's administration. He would therefore unquestionably, by some means, have guarded his illustrious friend's feelings, and his reputation, from the possible charge of having connived at a trade in the present war, which he had so publicly repudiated during the last.

It is no disparagement to Mr. Pitt's memory, to suppose that he knew as little of the trade of New-Providence, as of that of Tumbuctoo. He naturally relied on his right honourable friends at the Board of Trade and Plantations, for watching over those remote commercial interests; and therefore had Mr. Rose known of any such trade as that in question, it would have been his immediate duty to report it to the minister, or rather officially to propose what I apprehend it was in his own immediate department to originate, a new royal instruction for its suppression.

I verily believe, however, that no such trade has existed; and therefore Mr. Rose's language in last night's debate is probably misreported.

The unavoidable inaccuracy in hasty news paper reports of parliamentary speeches; must have led to other mistakes, as to the assertions of the same respectable gentleman; for Mr. Rose is reported to have represented the average value of a cargo of British manufactures sent in these free port slave ships, as being about 50,000l. sterling, whereas, by the slave carrying acts, sloops, schooners, and other small vessels, not having more than one deck; can alone be employed in the fo-

reign trade of the free ports. (See the consolidating free port act of 45 Geo. III. cap. 57, brought in, I believe, under Mr. Rose's own auspices.) But lest uninformed readers should suppose that such vessels really carry cargoes in general of 50,000l. value, I take on me to assert, and might appeal to all the noble and right honourable persons who have presided in prize causes at the Cockpit, within eight or ten years past, to support the assertion, that a *tenth part* of the above sum would be an excessive estimate, supposing that an average of the whole may be fairly taken from the many vessels and cargoes of this description that have been the subjects of appeal.

But the most important error ascribed by the newspapers to this very intelligent gentleman, is the notion that our manufactures cannot lawfully be introduced from these ports into the Spanish colonies, *without being accompanied by slaves*, and that *under the cover of carrying slaves* they may be, and are, imported there.

Here let me quote part of this probably erroneous report, as given in the Morning Chronicle, lest a well-informed reader should suppose the strange inaccuracy my own. "Mr. FRANCIS then said, that we had this "fact, that a cargo of the value of 50,000l. might be "sold in these colonies, *under the cover of seven slaves*, "*and that it could not be sold, without this cover.*—Mr. "ROSE, *I do assert that fact.*"

Now in opposition to this supposed assertion, I will undertake to prove, that the intercourse between our free ports and the Spanish colonies is wholly prohibited by the laws of those colonies; and that neither seven, nor seven hundred slaves, would exempt any vessel

engaged in it from seizure and confiscation, if detected in a Spanish port, or by a Spanish Guarda Costa; in short, *that the whole existing commerce between our free ports and the Spanish West Indies, is contraband by the Spanish law.*

Here again I can confidently refer to the Lords Commissioners of Prize Appeals. The fact has repeatedly appeared before them; and I turn only to one of many cases that might be cited, for the following extract in proof of it.

Case of the *Nostra Seignora del Rosario, J. P. Sanchez*, Master, heard at the Cockpit, in 1802.

This was a licenced Spanish vessel, which had carried goods from New Providence to the Havanna, and on her return was seized, because the term of her licence had expired, and prosecuted in the Vice Admiralty Court of the Bahamas.

The excuse set up was that of a long detention on the coast of the Spanish colony, *in consequence of the illicit nature of the trade, and the necessity of concealment*; and the following passage is extracted from the affidavit of the claimant, a merchant of New-Providence: "That the said brigantine was detained some "time in the port of Havanna by an embargo, *and by* "*other unavoidable causes, in a voyage, which requires* "*to be concealed from the Spanish government*, was pre-"vented from completing the said voyage in sixty "days."

Is it supposed that a British merchant would untruly represent on his oath a public fact, the truth or falsehood of which must be notorious on the spot?—At least, the judge of the Vice Admiralty of New Provi-

dence, could not be deceived by such perjury; and yet on this evidence he acquitted the vessel and cargo, and the Lords Commissioners affirmed his sentence.

In other licenced cases, the subjects of appeal, Spanish vessels have been rescued by our cruisers out of the possession of their own Guarda Costas which had seized them; and so notorious is the illegality of the trade by the Spanish law, that false papers and destruction of papers, have been connived at, in our prize courts, in such cases; on account of the known necessity of concealment and misrepresentation in the Spanish ports. *But in no one of these cases has the mask in question been found on board; they have carried British manufactures, but not a single slave.*

"Are slaves then in no instance a key to the ports "of the Spanish colonies?"——There was such a case; but it is so far from supporting the arguments imputed to Mr. Rose, that if the case still exists, it furnishes new ground for the measure I here recommend.

The laws of the Spanish colonies have been greatly relaxed in all respects, in consequence of the war, but only in favour of *neutral* vessels; and even these, during part at least of the late war, were obliged to bring slaves, in order to entitle them to export the produce of the colony, which they were allowed to do, to the amount of the proceeds of the slaves. It became therefore a practice in *neutral* not *British* or *Spanish* vessels, to import a few slaves; and by enormously aggravating the proceeds, in fictitious accounts of sales, to export colonial produce to a far greater value, while under cover of this favoured trade, other mer-

chandize was copiously introduced. The necessity, I believe, of such pretexts has ceased.

But do the neutral slave traders, or even the agents of British slave traders sailing under foreign colors, assist the importation of *British* merchandize or manufactures into these colonies?—On the contrary, as far as their slave trade increases their general dealings with those colonies, it favours the introduction only of *foreign* European manufactures. The truth is, that slave ships from Africa bring no manufactures of any kind, but the vessels that carry slaves to the Havanna, and other Spanish ports, when they clear out from the neutral islands, often carry *foreign* manufactures from thence; and merchants stationed there as general agents for the Spanish slave merchants, or for our own, also supply the Spanish colonies copiously with the manufactures, not of this country, but of *France*, *Germany* and *Holland*.*

The true state of the case therefore, is not only different from, but diametrically opposite to, the representation of it ascribed to Mr. Rose. The slave trade to the Spanish colonies, as far as it is the source or vehicle of other commerce, rivals and supplants, instead of protecting and extending, the trade in British manufactures; and whether we supply those colonies through our free ports with British goods to the amount of three millions annually, as this gentleman is stated to have asserted, or as I rather believe, not with one fourth part of that amount, the trade, such as it is, will be augmented, not diminished, by the cessation of the foreign slave trade.

* See note M, in the Appendix to War in Disguise.

It seems impossible however that Mr. Rose's speech can be rightly reported; because if *slaves* were a necessary cover for free port trade, then the free port instructions and licences, became a mere mockery, when slaves were struck out of the enumeration; and, consequently, Mr. Pitt's explanation, and the revocatory instruction itself, would have been an imposition upon parliament, and the public, of which neither the friends nor the enemies of that great and dignified character, will believe him to have been capable.

On the whole therefore there must be more than ordinary inaccuracy and blunder, in the report which has called forth these remarks.

The reader perhaps may think that these commentaries on the parliamentary discussion have no necessary connexion with my main subject; but the contrary is the case; for if a gentleman, late so high in office, and the peculiar organ of the government in matters of colonial commerce, had really stated such facts, and supported such politico-commercial views in Parliament, at the present critical conjuncture, and if his views should be adopted in the House of Peers, they would raise a difficulty, which in sustaining the belligerent rights of my country, I should find it hard to surmount.

It was frankly acknowledged in my late pamphlet, and I again distinctly admit, that Great Britain has no right to prevent neutrals from carrying on any trade with the colonies of her enemies, that she is not willing to forego herself.—If therefore we were actually at this moment supplying the Spanish colonies with slaves through our free ports, and deriving through that supply a commerce worth three millions sterling a

year; and if a bill should be rejected on the ground, that this trade is essential to our national welfare, then it is impossible to maintain that neutral nations ought to be restrained from supplying the colonies of our enemies with the same article at least; and since a large part of the produce of Cuba has of late years been paid in return for slaves imported, it would be equally impossible to maintain, that such returns may not be brought away and carried to the best markets, in neutral vessels.—In short, if it were a part of our own fixed system, that the hostile colonies shall be supplied with slaves by British subjects during the war, I can neither on the ground of regard to our own unfortunate planters, nor of justice to the neutral powers, find any consistent principle on which any part of the rule of the war of 1756 worth preserving, ought now to be enforced.

Quite irreconcileable with the views ascribed to Mr. Rose, was the reply which I meant to offer to the most specious argument of the American Government, if decision should not preclude the utility of any reply.—I cannot regard those feeble palliatives to which we have been driven by the invasion of our maritime rights to have recourse, the relaxations of our own commercial system, as any better defence to the neutrals by whose conduct they were occasioned, than the calling in a surgeon to heal a wound, would be to the wrong doer who inflicted it. But I never for a moment supposed that the licenced trade of our free ports, or any other relaxation of the law of war, ought to survive the resumption of our belligerent rights: and I regarded these innovations on our good old maxims of war, as miserable temporising expedients, which might be brushed away with far more advantage than loss.

The views, estimates, and statements now publicly imputed to a late vice-president of our board of trade, would, if real, and if adopted in parliament, present a very different case; and a construction also imputed to him of a late act of Parliament, would, if I rightly apprehend that part of the report, be a source of future embarrassment.

The American author of the "Examination of the British Doctrine," appeared to me to have made a very unfair use of that Act, (45 Geo. III. cap. 57. sec. 5.) which I regarded, not as meant for operation during hostilities, *any further than as his majesty's relaxations of the law of war might give it special and temporay efficacy*; but if it really has the effect of legalizing an intercourse with the enemy, and controlling the general law of war, *without a special licence* (which must be the case, if this act sanctions a trade, not sanctioned by the free port instructions) then the strictures of this writer are fair enough—I must in that case admit it to have been a grand and radical innovation on our own belligerent system.*

I have felt it necessary therefore in every view to profit by the unforeseen delay of this publication, till Monday next, and to enlarge its bulk, for the sake of entering this protest against the parliamentary reports in our newspapers; and of adding, that if they could be supposed in this instance to be accurate, I should as widely and as firmly protest against the very respectable authority even of Mr. Rose himself.

* I cannot help thinking this act very carelessly drawn, as well as badly expounded; for sec. 9. opens the door to a fraud that may be very injurious to our planters, by the circuitous introduction of French and Spanish sugar and coffee from the free ports into this country, through our own sugar colonies, without payment of foreign duties.

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